IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 9TH MARCH, 2007 / 18TH PHALGUNA, 1928

WP(C).No. 2779 of 2007(E)

PETITIONERS:
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1. SURESH. P, AGED 35 YEARS,
S/O.P.KRISHNANKUTTY NAIR, PULAPADATHIL HOUSE,
POMPARA, PALAKKAD DISTRICT.

2. T.CHAMI, THANKOTTU, ELAMKULASSERY PO,
KARKURSSY, PALAKKAD.

BY ADV. SRI.K.RAMAKUMAR
SRI.T.RAMPRASAD UNNI

RESPONDENTS:
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1. THE COMMISSIONER, HR & CE DEPARTMENT
CIVIL STATION, MALAPARAMBU, KOZHIKODE.

2. THE ASSISTANT COMMISSIONER,
HR & CE DEPARTMENT,
CIVIL STATION, MALAPARAMBU, KOZHIKODE.

3. THE EXECUTIVE OFFICER,
NALUSSERY BHAGAVATHI DEVASWOM,
ELAMBULASSERY PO, PALAKKAD DISTRICT.

4. THE PALAKKAD AREA COMMITTEE,
CONSTITUENT OF HR & CE DEPARTMENT,
REPRESENTED BY ITS CONVENOR,
(THE ASSISTANT COMMISSIONER, HR & CE DEPARTMENT)
CIVIL STATION, MALAPARAMBU, KOZHIKODE.

BY GOVERNMENT PLEADER SRI.M.R.SABU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN,Ag.C.J & M.N.KRISHNAN,J.

WP(C) NO. 2779 OF 2007

Dated this the 9th day of March, 2007

J U D G M E N T

Radhakrishnan, Ag.C.J.

Heard counsel on either side.

2. This writ petition is filed by the petitioner seeking a writ of mandamus directing the second respondent to take a decision to implement the recommendations made by the Area Committee in Ext.P3 order. Ext.P3 is an order passed by the Assistant Commissioner recommending two persons as Non-hereditary Trustees.

3. A counter affidavit has been filed by the first respondent wherein it is stated that the Commissioner has to pass final orders on Ext.P3.

4. Under such circumstances, we are inclined to dispose of this writ petition directing the first respondent – the Commissioner, HR&CE Department to take appropriate action in accordance with law taking note of Ext.P3 within a period of one

month from the date of receipt of a copy of this judgment. The Commissioner would take note of Ext.P4 as well.

K.S.RADHAKRISHNAN,
Acting Chief Justice

M.N.KRISHNAN,
Judge

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007